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THE DESERET NEWS,
Salt Lake City, Utah.

SALT LAKE CITY, - APRIL 25, 1902.

EVEN A CHILD MAY UNDERSTAND

We publish today the full text of the agreement, by which three of the canal companies in this county are to be permitted to join with Salt Lake City, in completing and developing water rights which are necessary to the welfare and benefit of all the parties mentioned. It will be seen by the careful reader of the document, that the action set forth by the City Attorney and by a morning newspaper, that the agreement was framed simply to aid the canal companies and the people in this county depending on the lake water for the culture of their fields, and that this was "proposed under the popular guise of philanthropy," is utterly untrue and nonsensical. As the "News" has demonstrated repeatedly, the agreement is designed for the benefit of Salt Lake City, and the fact that it is also in the interest of the canal companies, does not in any way detract from the good that will result to this municipality.

The Mayor has been all along opposed to the arrangement entered into between the City Council and the canal companies, and his latest objections were presented in a veto which was overruled by the council. They were based upon an opinion furnished by the city attorney who declared that the agreement proposed was clearly illegal. The attorney founded his views on a provision of the State Constitution, which the Deseret News showed has no bearing upon the subject either directly or indirectly.

The Salt Lake Tribune sides with the Mayor and the attorney, but does not offer any argument, legal precedent or provision of law or of the Constitution to support its position, but only such acid and convincing remarks as the following, which we take from its editorial columns today:

Mayor Thompson announces that he will not sign the proposed contract with the three canal companies for the pumping of water from Utah lake. In this he is clearly within his rights. In fact, he could not take any other position and be justified. His legal adviser, the City Attorney, declares that the action proposed by the contract is clearly illegal. That opinion of the City Attorney is of course the guide for all branches of the city government. To decide it is indecent to go counter to it is perilous. It ought to be binding also on the City Council, but unfortunately that body does not appear to hold itself to be subject to legal restrictions. President Cannon's lack of respect for the official opinion doesn't matter; he is not learned in the law, and those who have been writing long objections to that opinion in an evening contemporary are equally untrained in jurisprudence. We presume that neither Mr. Cannon nor the editor of the "News" would consider his opinion on a law question worth anybody's while to pay for. Yet the city has elected an attorney, qualified to practice, whose legal knowledge has for years been paid for by his clients, and whom the city now pays a goodly sum to attend to precisely such matters as giving this opinion. No one can read this opinion, either, without being struck with the strength of it, and its sound application of constitutional principles. We believe that the courts will sustain it; that he has properly declared the law, and that there is no escape from his conclusions.

According to the reasoning of our contemporary, the Mayor and the City Council are bound to accept the opinion of the City Attorney on matters of the greatest importance, whether it is consonant with common sense and in harmony with constitutional and statutory provisions, or not. The same legal authority has advanced ideas, officially, which have been proved to be contrary to well-known and established principles of law and parliamentary rule. Yet the Tribune says "to decide it is indecent; to go counter to it is perilous." That paper is shocked because the City Council "does not appear to hold itself to be subject" to such "legal restrictions."

Under what law or regulation is the City Council bound to accept and be governed by an opinion which, on its face, is incorrect and absurd? According to our contemporary, neither the Mayor nor the City Council has any right to dissent from the views of an attorney who has succeeded in obtaining an official position, no matter what they may be. This would be establishing a one-man-power with a vengeance. Will our critic point out from any section of the laws of Utah a provision conferring such power upon the City Attorney, or any such restriction or requirement on the City Council? The City Attorney is required to give legal advice to the council, but that body is not obliged to accept it, particularly when it is evidently both unwise and contrary to reason and to law. The duties of that functionary are defined by the City Council, and he is not the master or dictator of that body.

In another part of this paper will be found an account of an interview between President Angus M. Cannon and

the Mayor and City Attorney on the water question. Our readers can judge for themselves who had the best of the argument in that conversation. As to the pecuniary value of Mr. Cannon's opinion on a law question, we are not able to give the figures. The Tribune is perhaps not aware that he has held official positions in Utah, both as a prosecuting attorney and mayor of a city. But that does not matter. Neither is it important whether the legal opinions of the editor of the "News" are worth paying for. They are accepted, however, without pay, in a very large circle of subscribers to this paper, and by many people who make personal inquiries. All that is extraneous to the question before the public.

Three law firms, of long experience and excellent reputation, are advisers of the canal companies in this agreement with the City. Their opinions are surely as reliable as that of an attorney who is but a novice in comparison. They would not engage in this matter if they had any doubt as to its legality, and the views of either of them would be considered of far higher value in law circles than those of the attorney, who cites as his authority a clause of the Constitution that any ordinary mind can see has nothing to do with the question.

The City Attorney has given an opinion which the Tribune says: "No one can read without being struck with the strength of it, and its sound application of Constitutional principles." It is on that opinion that the Mayor has founded his latest objection to the plan, for the obtaining of additional water for the needs of the city and of the canal companies, which are already associated with the city in obtaining water from the same source of supply. That opinion is drawn from the following section of the State Constitution:

"The Legislature shall not authorize the State, or any county, city, town, township, district or other political subdivision of the State, to lend its credit or subscribe to stock or bonds in aid of any railroad, telegraph or other private individual or corporate enterprise or undertaking."

Is it contended that the Legislature has violated this provision of the State Constitution? If so, where is the statute thus rendered invalid? The City Attorney has not cited anything of the kind nor has our contemporary pointed it out. Is the city asked to "lend its credit or subscribe to stock or bonds" in aid of "any individual or corporate enterprise or undertaking?" If so, what is it? Certainly it is not in the agreement objected to by the Mayor or on the advice of the City Attorney, the text of which we publish today.

To say that the city, which is interested with the three canal companies named in drawing water from Utah lake, cannot together enter into an arrangement for mutual benefit to increase the supply, with an equitable division of the volume of water to be thus obtained, is to say that the whole system of supply from Utah Lake to this city and county is unlawful, unconstitutional and void.

It is only a little while ago that the Mayor himself, on behalf of the city, was soliciting these canal companies to join in the measures to maintain these water rights and to increase the flow of water for mutual benefit. When the scheme for lowering the channel by dredging and otherwise was projected, the canal companies were earnestly requested to join in the work, with the promise that they should receive their proportion of the extra water thus to be obtained. Why did the Mayor endorse that proposition? Why did he wish the canal companies to join with the city in the litigation considered necessary, to preserve the water rights of the city and of those companies, against water-users along the streams that feed the lake in Utah county?

The water rights of these canal companies and those of Salt Lake City are so intimately associated that any steps taken by either of them will materially affect them all. They have been established by law and by usage for many years, and when an attorney, no matter what may be his wonderful legal learning and official standing, says that they cannot enter into new arrangements for the same purposes, and cites as the basis of his opinion a constitutional provision that anybody who can read and think may see has not the slightest bearing upon the subject, to "decide it" is not "indecent," to "go counter to it" is not "perilous," but to agree with it shows sad lack of common reason, and to abide by it would be dangerous and inimical to the interests of the municipality.

When our contemporary says that the attorney has "properly declared the law and that there is no escape from his conclusions," it simply exposes its own utter lack of comprehension of the subject, or an overwhelming desire to support the Mayor and the City Attorney in a most irrational determination, to block the way of a measure designed for the benefit and prosperity of Salt Lake City and county. There is evidently something behind this stubborn opposition which has not yet come to the surface. But as sure as the sun shines, and water flows from Utah lake through the Jordan river, it will come to light in due time, and the public will know what is the real reason for the continued interposition of this obstacle.

HIGHER PRICES PREDICTED.

Local meat dealers are reported to have stated that there is no falling off in their trade, since the advance in prices. They are also said to have predicted another rise before long.

It is hardly to be hoped that there will be a general, spontaneous revolt against the prevailing prices, until they reach such a limit that the great mass of the people can no longer afford to pay what is asked. Then there will be retrenchment and a speedy fall of prices.

In the meantime it should be noted that Attorney General Knox has made the statement, that there is sufficient evidence at hand upon which bills in equity for an injunction can be framed to restrain the combination of large

meat dealers from further proceeding under agreements, which, he says, clearly appear to be in restraint of interstate trade. If it is true that a beef trust exists, and if the government undertakes in earnest to break it up, such proceeding would be the most effective remedy.

The charge is that the large packing houses, or some of them, have succeeded in putting an end to the business done by the retail butchers in every large city in the country, as far as slaughter is concerned. The trust, it is said, is in absolute control of the market. It dictates the terms on which retailers can obtain supplies and the price at which the meat shall be disposed of to the public. Now, there are laws for the protection of the public against that kind of business, and there are officers charged with the duty of prosecuting the violators of those laws. Of course, if the officers will not, or cannot, do their duty to the people, the latter are helpless.

Attention is directed, however, to an evil that seems to have penetrated every line of industry. Trusts may be beyond the reach of law, but they are not beyond public opinion. And some time the people will look into the situation. And the question that will be asked then will run something like this: "If the competitive system is to be destroyed for the benefit of the commanders of millions, why would it not be just as well to go one step further and consolidate all the business interests of the country, and place them in the hands of a strong government, for the equal benefit of all the people?" Socialists are hoping and expecting that the trust system will topple over and land into Socialism, and who can say that they are absolutely wrong in this view?

GIGANTIC COMBINES.

The rumors that transatlantic steamship lines had been "Morgantized" have been denied. It is always denied that trusts exist. But now it is admitted that six lines have formed a kind of combination, and it is hinted that a "working agreement" will be made with other lines, so that the American, English, German, and French lines will be included in the arrangement.

The term "Morgantized" has been applied very properly to this kind of business. J. Pierpont Morgan is credited with having engineered the following combinations: The United States Steel company, the Northern Securities company, the Steamship combine, the Coal Railways and Mines, and the Southern and L. & N. Railways, with a combined capital of \$2,500,000,000—a sum so large that the figures used to represent it give but a faint idea of its magnitude. No man would live long enough to count that sum, even in five-dollar bills.

CECIL RHODES' IDEA.

Cecil Rhodes dreamt of a combined Anglo-Saxon power, to assume the leadership of the world, in politics, finances, and industries. To bring about that combination he counted on the influence of a secret organization after the pattern of the society founded by Ignatius Loyola. The combination should have the maintenance of the peace of the world for its chief object.

The scheme is, of course, regarded as an idle dream, impossible of realization, but it would be folly to forget that many world-revolutionizing plans have at first had just that appearance. The world owes much of its important history to the men who in their own day were regarded as visionaries.

Nothing is more certain than that the dispersed branches of the human family will gradually be re-united under one head. The present confusion is but temporary. Order will be born of chaos. Families, tribes, nations, races, are even now being grouped together, and only when that work of gathering shall have been completed, can peace become universal, because then all national wrongs, inflicted by the strong upon the territories of the weak, will be righted, and there can be no further cause for the quarrels and jealousies that in the past have bred wars and strifes.

How this shall be accomplished may not be clear at this time. But the formation of combinations between the Anglo-Saxons, the Teutons, the Slavs, the Latin races respectively would not be a bad preliminary to a final union of interests of all nations, and the English speaking millions might as well set the example. They have been the standard-bearers of the most advanced ideas in the world for a long time. They have the power and influence necessary to take the first step in the direction indicated.

Cecil Rhodes is dead, but ideas do not die with the persons that originate them. Like seed sown, they may lie dormant for a long time, but when the conditions are favorable, they will send forth their sprouts and develop.

Arrest the spitters upon the sidewalk!

As books are lost by lending, so is influence.

The Mississippi Senator must love money very dearly to quarrel over five cents.

Another weekly paper is to be started soon. With one or two more in the field there will be a daily weekly.

The "water cure" is not a relic of barbarism. It is barbarism itself and in the very worst form.

Chicago dealers are trying to corner the egg market. They want to use them for "meal eggs," nothing else.

The lost cause—Trying to make political capital out of presidential election of garrulous army officers.

Mr. Mellen of the Northern Pacific

ate the President's food, but the President did not eat Mellen's food.

The Boston Watchman talks of "the dark side of war." It is largely found in the Twenty-fourth and Twenty-fifth regiments of infantry.

The Indiana man who spent his life hoarding pennies until he had accumulated \$3,700 of them was, penny wise and pound foolish.

A Washington correspondent says that Tillman and McLaughlin are not on speaking terms. Still they strike hands across the aisle at times.

The shipping combine is causing more commotions on the land than in the sea. It disturbs Neptune far less than it does some of the other kings.

A Boston preacher says the society women of that city swear horribly. They should swear not at all but let their answers be yea, yea and nay, nay.

A Chicago man has clipped some time off the globe-trotting record. But he can never be so famous as the trotter that makes a two-minute record.

Senator Clark of Montana has been interviewed by the Washington police for driving his automobile faster than the law allows. The senator really auto, know better.

If Filipino boys of ten years of age are the equals, for military purposes, of American boys of fifteen years, they are a pretty bright lot. But even that fact does not justify ordering the killing of all over ten years of age.

There may be no beef trust nor any combine to raise the price of meat but all the same Attorney-General Knox says: "From their reports I am satisfied that sufficient evidence is on hand upon which bills in equity for an injunction can be framed, to restrain the combination mentioned from further proceeding under their agreements, which clearly appear to be in restraint of interstate trade."

Professor Goldwin Smith says that "the Monroe doctrine is doctrine only. The solid fact is the power of the United States." That is true as it is true of every other doctrine of national or international law. They are all doctrines and without the power to enforce them they are nothing more than polemical writings. But the solid fact of the power of the United States being behind the Monroe doctrine gives it a force and potency that cause it to be respected if not accepted by all nations.

The news of the death of Peter Reid will bring sadness to many hearts in this community, of which he was an old and valued member. Possessed of a strong constitution, a stalwart frame and vigorous mentality, he had fair to live to a very old age. But he was stricken down like a tree by the blast and he will be greatly missed by a large circle of acquaintances and neighbors. He was a useful, practical man, a worthy citizen, a faithful adherent of the Church and a warm-hearted and sociable friend. We sympathize with his family in the great loss they have sustained.

A writer in the Philadelphia Medical Journal is sounding a note of warning to young men, when he says that every year more young men are graduated from medical colleges, than can find employment. The cause is, he thinks, the superabundance of medical colleges, where young men unfitted for the medical profession nevertheless obtain a degree. He suggests that medical schools should by law become State institutions, as through such a law the medical schools of low standard would pass out of existence. The writer gives some interesting figures anent the medicine consumed in the United States. He says that in one year medicines compounded after doctors' prescriptions amount to \$10,000,000, while direct to the public is sold \$100,000,000 worth of the stuff.

ASSASSINATION IN RUSSIA.

New York Evening Post.
The assassination of the Russian minister of the interior does not appear to have been the work of a professed anarchist; but it shows how impossible it is to guard against such crimes. If the Russian police and Russian terrorists cannot prevent a man, willing to throw away his own life, from getting access to a high official and killing him, it is vain to expect that he can do it under our laws. As things go, assassination is simply one of the risks of great office—a necessary "hazard of the trade," as King Humbert put it. It is well, of course, to have laws for the due punishment of all crime, anarchy included, but there is no way of deterring, by threats of death, men to whom death itself has no terrors.

New York Mail and Express.
As in all like cases, the assassin declares that the plan was his own and that he needed no accomplices to aid him in his attack upon the man who had forced him into military service and shut the doors of the university in his face. But it will be remembered that when the demonstration of student protest for April 1 was prevented by the authorities, the wholesale arrests and severe punishment of the organizers brought forth the threat, "Next comes the revolver."

San Francisco Call.
These struggles have now reached a point where no compromise is possible. Though the full extent of them is carefully hidden by the secret societies of the students on the one side and the government or the censorship on the other, it seems evident that they constitute by far the most serious feature of Russian development at this time. It is quite probable, indeed, that they will prove more important than Russian aggressions in Manchuria and have a wider and more lasting influence upon the history of the world.

Boston Herald.
The crime of the Russian student who shot the minister of the interior at St. Petersburg recalls the late Mr. Alge's remark that these political assassins are not of the ignorant and violent classes, as a rule, but men with a real or fancied grievance, acquired by study in the garret or in the schools. The assassin's victim was not only the minister of the interior, but also the head of the Russian secret police system, which maintains such a rigid espionage over things throughout the empire of the Czar. The readers of Thackeray's novel have been made familiar with the merciless methods of this secret police and the temper of the people toward it.

Chicago Record-Herald.
While these acts show that there is

the despotism of nihilism in the movement, the persistence and the growing sympathy between the student class and the workmen give it an importance which it could not acquire from isolated political crimes. There is evidently a protest against the government which has some semblance of popular support. But popular in the wide sense in which we understand that word it cannot be, for the masses are sunk in stupid submission to the ruling caste, and have an insatiable reverence for the czar. It will require years of proselyting to make any impression upon such unpromising material.

IN THE BALKANS.

Baltimore Sun.
Every spring there are rumors of revolution in the Balkans. Acts of simple brigandage are magnified into alarming disturbances and Europe is invited to prepare for that great war which is to shake the universe. The present spring is no exception to the rule. The rumors have arrived on time; they are of a more terrifying character than usual, and yet Europe does not appear to be excited. The cry of wolf has been raised so often that there is danger when the animal does appear the European shepherds will not be prepared for the crisis.

Philadelphia Times.

Though massacre may result from limited intervention, the powers responsible for it, and others that give to it their tacit approval, will probably exhaust every hypocritical protest before depositing the sultan or taking any really practical steps to reform the Ottoman government.

RECENT PUBLICATIONS.

The Saturday Evening Post of April 24 is announced as "the open-air number." Among the contributors are Grover Cleveland and William Marconi. The first writes about "The Serene Duck Hunter," and the second about his system of telegraphy. Among the other features is a new "Letter from the Self-Made Merchant to His Son," the second part of Paul Lutz's paper on James J. Hill's School for Railroad Presidents, a new installment of Conjuror's House, and the regular biweekly Washington letter by a Congressman's Wife. Among the shorter contributions are Mr. F. A. Warner's paper on "Farming as a Business"—Philadelphia.

The first chapters of Mrs. Humphry Ward's new novel, "Lady Rose's Daughter," opens the May number of Harper's Magazine. There are short stories by Elmore Elliott, Peck, Evelyn Channing, Syrus Townsend Brady, Mary R. S. Andrews, and others. There are several special articles. Science is represented by "The Act of Vision," by Prof. Raymond Dodge, of Wesleyan university; John R. Spears tells about the unfailing good luck of the U. S. war-ship Enterprise, 178, in his article, "A Charmed American Warship." There are four more of Abbey's pictures for "The Deserted Village," and nine other illustrations in color. The Editor's departments and a group of poems complete a rich and varied number.—Harper & Bro., New York.

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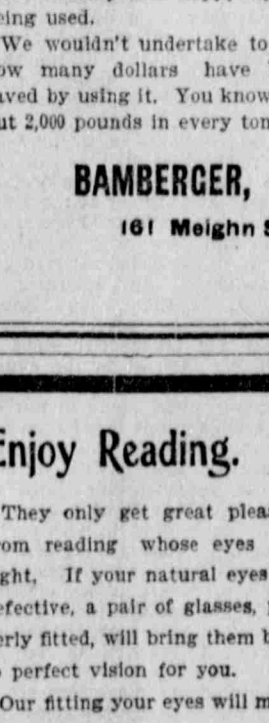
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